

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA, :
Plaintiff, :
v. :
Criminal Case No. 05- 118M
JIMMIE L. LARK, :
Defendant. :

MOTION FOR DETENTION HEARING

NOW COMES the United States and moves for the pretrial detention of the defendant, pursuant to 18 U.S.C. § 3142(e) and (f). In support of the motion, the United States alleges the following:

1. **Eligibility of Case**. This case is eligible for a detention order because case involves (check all that apply):

- Crime of violence (18 U.S.C. § 3156)
 - Maximum sentence life imprisonment or death
 - 10+ year drug offense
 - Felony, with two prior convictions in above categories
 - Serious risk defendant will flee

2. **Reason For Detention.** The court should detain defendant because there are no conditions of release which will reasonably assure (**check one or both**):

X Defendant's appearance as required

Safety of any other person and the community

3. **Rebuttable Presumption.** The United States (will, will not) invoke the rebuttable presumption against defendant under § 3142(e). (If yes) The presumption applies because (**check one or both**):

- Probable cause to believe defendant committed 10+ year drug offense
or firearms offense, 18 U.S.C. § 924(c)
- Previous conviction for "eligible" offense
committed while on pretrial bond

4. **Time For Detention Hearing.** The United States requests the court conduct the detention hearing,

- At first appearance
- After continuance of 3 days (not more than 3).

5. **Temporary Detention.** The United States requests the temporary detention of the defendant for a period of days (not more than 10) so that the appropriate officials can be notified since:

1. At the time the offense was committed the defendant was:
 (a) on release pending trial for a felony;
 (b) on release pending imposition or execution of sentence,
appeal of sentence or conviction, or completion of sentence for an offense;
 (c) on probation or parole for an offense.
2. The defendant is not a citizen of the U.S. or lawfully admitted for permanent residence.

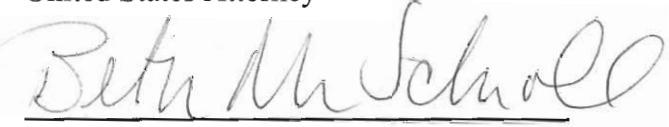
3. The defendant may flee or pose a danger to any other person or the community.

6. **Other Matters.**

DATED this 20th day of October, 2005.

COLM F. CONNOLLY
United States Attorney

BY:


Beth Moskow-Schnoll
Assistant United States Attorney